

APPLICATION FOR HISTORIC RIGHT OF WAY EASEMENT FOR
ACCESS ROADS UPON STATE TRUST LANDS

(Non-Refundable Application Fee -- \$50.00)

NOTE: Pursuant to '77-1-130, Department review of historic easement requests may continue through October 1, 2006.

To the State Board of Land Commissioners
j Montana Department of Natural Resources and Conservation

Application for a non-exclusive easement is hereby made under the provisions of Title 77, Chapter 1,
Section 130 of the Montana Code Annotated, by _____
_____ of
_____ for
a historic right of way easement located upon the following described state section:

Section _____, Township _____, Range _____, County of _____

(Please mark each quarter quarter that the road passes through on state land)

NW3NW3 _____ NW3NE3 _____ NW3SW3 _____ NW3SE3 _____
NE3NW3 _____ NE3NE3 _____ NE3SW3 _____ NE3SE3 _____
SW3NW3 _____ SW3NE3 _____ SW3SW3 _____ SW3SE3 _____
SE3NW3 _____ SE3NE3 _____ SE3SW3 _____ SE3SE3 _____

Government Lot(s) _____

R/W Width: _____ X R/W Length: _____) 43560 = _____ acres

Please complete the following:

Current condition of road is: (check all that apply)

GTwo-Track Trail GBladed, Unimproved GImproved, Graveled GPaved/Blacktop

Road has provided access to the following previous to 1997: (check all that apply)

GSingle-Family Residence GFarm/Ranch Lands GSubdivision GTimber Management
GPublic Traveled Way (County Road)

Attached is the following as documented evidence of use prior to 1997: (check all that apply)

GDated Aerial Photograph GQuadrangle Map GProperty Survey GOther _____
with North Arrow & with name of Quad
Flight Line Data and date

GPS Survey with statement of model used and level of accuracy attached

The legal description of the private lands being accessed are as follows:

_____. Sec. _____, Twp. _____, Rge. _____
_____. Sec. _____, Twp. _____, Rge. _____
_____. Sec. _____, Twp. _____, Rge. _____

If Subdivision: (May attach a separate listing if needed)

Lot # _____, Subdivision Name _____, COS # _____

Lot # _____, Subdivision Name _____, COS # _____

Lot # _____, Subdivision Name _____, COS # _____

Name of Applicant _____

Signature of Authorized Signatory

Title

Address

AFFIDAVIT

I/We hereby certify the following:

THAT I/We or our predecessors in interest have used the right of way applied for before 1997 and that the use has continued to the present:

THAT I/We have described above the purpose for which the right of way was used before 1997; and

THAT I/We have provided evidence demonstrating that the historic right of way applied for is the right of way depicted thereon.

Dated this _____ day of _____, 20____.

STATE OF _____)
_____) : ss
County of _____)

On this _____ day of _____, in the year 20____, before me, a Notary Public for the State of _____, personally appeared

Known to me to be the person(s) whose name(s) (is) (are) subscribed to the within instrument and acknowledged to me that (he) (she) (they) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate above written.

Notary Public for the State of _____
Residing at:

My Commission Expires: _____